

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC.,
Petitioner,

v.

ZKEY INVESTMENTS, LLC.,
Patent Owner.

Case IPR2017-01278
Patent 6,820,204 B1

Before ROBERT J. WEINSCHENK, MINN CHUNG,
and CHRISTA P. ZADO, *Administrative Patent Judges*.

ZADO, *Administrative Patent Judge*.

ORDER
Motion to Amend Claims
37 C.F.R. § 42.121

IPR2017-01278
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A conference call in the above proceeding was held on January 22, 2018, among respective counsel for the parties and Judges Weinschenk, Chung, and Zado. Patent Owner requested the conference call to satisfy the “conferring with the Board” requirement of 37 C.F.R. § 42.121(a) with regard to the filing of a motion to amend claims. In particular, Patent Owner seeks to cancel claims 1–3 and 16 of U.S. Patent No. 6,820,204 B1 (“the ’204 patent”), all claims on which we instituted *inter partes* review, thereby disposing of this proceeding. Petitioner does not oppose Patent Owner. Patent Owner has satisfied the requirement of “conferring with the Board” prior to filing a motion to amend the ’204 patent.

Patent Owner is also directed to 37 C.F.R. § 42.73, which provides that “[a] party may request judgment against itself at any time during a proceeding.” Concurrent with filing a motion to amend claims to cancel all claims pending in this proceeding, Patent Owner should file a request for adverse judgment, not to exceed five (5) pages, on grounds of cancellation of claims so that no claims remain in this proceeding.

Accordingly, it is

ORDERED that Patent Owner has satisfied the requirement of “conferring with the Board” pursuant to 37 C.F.R. § 42.121(a).

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